

Amend CSHB 2605 (house committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS accordingly:

SECTION _____. Subchapter C, Chapter 504, Labor Code, is amended by adding Sections 504.054, 504.055, and 504.056 to read as follows:

Sec. 504.054. EXPEDITED PROVISION OF MEDICAL BENEFITS FOR INJURY SUSTAINED BY FIRST RESPONDER IN COURSE AND SCOPE OF EMPLOYMENT. (a) In this section, "first responder" means an individual employed by a political subdivision of this state who is:

(1) a peace officer under Article 2.12, Code of Criminal Procedure;

(2) a person licensed under Chapter 773, Health and Safety Code, as an emergency care attendant, emergency medical technician, emergency medical technician-intermediate, emergency medical technician-paramedic, or licensed paramedic; or

(3) a firefighter subject to certification by the Texas Commission on Fire Protection under Chapter 419, Government Code, whose principal duties are firefighting and aircraft crash and rescue.

(b) This section applies only to a first responder injured in the course and scope of employment.

(c) The political subdivision, division, and insurance carrier shall accelerate and give priority to an injured first responder's claim for medical benefits, including all health care required to cure or relieve the effects naturally resulting from a compensable injury sustained in the course and scope of employment.

(d) The division shall accelerate, under rules adopted by the commissioner, a contested case hearing requested by or an appeal submitted by a first responder regarding the denial of a claim for medical benefits, including all health care required to cure or relieve the effects naturally resulting from a compensable injury sustained in the course and scope of employment. The first responder shall provide notice to the division and independent review organization that the contested case or appeal involves a first responder.

Sec. 504.055. MAXIMUM MEDICAL IMPROVEMENT AFTER INJURY SUSTAINED BY FIRST RESPONDER IN COURSE AND SCOPE OF EMPLOYMENT. (a) On application by either the first responder, as defined by Section 504.054, a political subdivision, or an insurance carrier, the commissioner by order may extend the 104-week period described by Section 401.011(30)(B) for an injury sustained by the first responder in the course and scope of employment if the commissioner rules within 12 weeks before the expiration of the 104-week period. If an order is issued under this section, the order shall extend the statutory period for maximum medical improvement to a date certain, based on a recommendation presented to the commissioner by the first responder's treating doctor.

(b) Either the first responder, political subdivision, or insurance carrier may dispute an application for extension made under this section. A dispute under this section is subject to Chapter 410.

(c) The commissioner shall adopt rules to implement this section, including rules establishing procedures for requesting and disputing an extension.

Sec. 504.056. FIRST RESPONDER MEDICAL DISPUTES; CONTESTED CASE HEARING AND JUDICIAL REVIEW. (a) In this section, "first responder" has the meaning assigned by Section 504.054.

(b) A first responder whose medical dispute remains unresolved after a review by an independent review organization is entitled to a contested case hearing. The independent review organization's decision is binding during the pendency of a dispute. A hearing under this subsection shall be conducted by the division in the same manner as a hearing conducted under Section 413.0311.

(c) A first responder who has exhausted all administrative remedies under Subsection (b) and is aggrieved by a final decision of the division may seek judicial review of the decision. Judicial review under this subsection shall be conducted in the manner provided by Section 413.0311(d).

SECTION _____. Sections 504.054, 504.055, and 504.056, Labor Code, as added by this Act, apply only to a claim for workers' compensation benefits based on a compensable injury that occurs on

or after the effective date of this Act. A claim based on a compensable injury that occurs before that date is governed by the law in effect on the date the compensable injury occurred, and the former law is continued in effect for that purpose.